

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

FEB 10 2012

CLERK, U.S. DISTRICT COURT

By

Deputy

UNITED STATES OF AMERICA

v.

DANIEL PATRICK MOORE (1)
a/k/a "Danny"

§
§
§
§
§
§

NO. 4:11-CR-198-A

FACTUAL RESUME

INDICTMENT:

Count One – Conspiracy to Possess with Intent to Distribute a Controlled Substance (Violation of 21 U.S.C. § 846 (21 U.S.C. §§ 841(a)(1) and (b)(1)(C))).

PLEA TO SUPERSEDING INFORMATION:

Count One - Possession with Intent to Distribute a Controlled Substance (Violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)).

PENALTIES:

On Count One of the Information, Possession with Intent to Distribute a Controlled Substance, 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)), the court may impose the following penalties:

- a. imprisonment for a period of not more than twenty (20) years;
- b. a fine not to exceed \$1,000,000, or both fine and imprisonment;
- c. a term of supervised release of not less than three (3) years; if the

defendant violates any condition of the term of supervised release, the Court may revoke such release term and require that the defendant serve any or all of such term as an additional period of confinement. The effect of a revocation of a term of supervised release is to make the overall period of incarceration longer;

- d. a mandatory special assessment of \$100;
- e. costs of incarceration and supervision; and
- f. forfeiture.

ELEMENTS OF THE OFFENSE:

In order to establish the guilt of the defendant of the offense of Possession with Intent to Distribute a Controlled Substance (Violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)), as alleged in Count One of the Superseding Information, the Government must prove each of the following elements beyond a reasonable doubt:

- First:* That the defendant knowingly possessed a controlled substance;
- Second:* That the substance was in fact methamphetamine; and
- Third:* That the defendant possessed the substance with the intent to distribute it.

STIPULATED FACTS:


On or about September 27, 2011, in the Northern District of Texas, defendant, **Daniel Patrick Moore**, also known as Danny, knowingly possessed, with the intent to distribute, a mixture or substance containing methamphetamine, a schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

On September 27, 2011, law enforcement officials conducted a search of the defendant's home located at 605 Fairlane Court, Hurst, Texas pursuant to a valid search warrant. Two plastic bags were recovered that contained approximately 72.2 grams of a mixture or substance containing methamphetamine. The defendant knowingly possessed the methamphetamine with the intent to distribute.

AGREED AND STIPULATED on this 23rd day of January, 2012.



DANIEL PATRICK MOORE
Defendant



JEFFREY GRASS
Attorney for Defendant